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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. ESPN 9004cip
First Inventor Wendi V. Rodriguez
Title LIPOSOMAL COMPOSITIONS, AND METHODS OF USING LIPOSOMAL COMPOSITIONS TO TREAT DISLIPIDEMIAS
Express Mail Label No. EL 717 748 851 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 140]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 40]
5. Oath or Declaration [Total Pages 3]
 - a. ☒ Unexecuted
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:
☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No. 09 / 322,336
Prior application information: Examiner Group / Art Unit: 09 / 071,974

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label or ☐ Correspondence address below

Name Patrea L. Pabst
Holland & Knight LLP
Address Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
City Atlanta State GA Zip Code 30309-3400
Country USA Telephone 404-817-8473 Fax 404-817-8588

Name (Print/Type) Patrea L. Pabst Registration No. (Attorney/Agent) 31,284
Signature Date 8/7/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 355.00

Complete if Known

Application Number
Filing Date August 7, 2001
First Named Inventor Wendi V. Rodriguez
Examiner Name
Group Art Unit
Attorney Docket No. ESPN 5004 up

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1868
Deposit Account Name Holland & Knight LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 355.00

2. EXTRA CLAIM FEES

Total Claims 20 -20 = 0 x Fee from below = Fee Paid
Independent Claims 1 -3 = 0 x Fee Paid
Multiple Dependent = Fee Paid

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ - 0 -

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179		279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$

SUBMITTED BY

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284	Telephone	(404) 817-8473
Signature		Date	8/7/2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wendi V. Rodriguez, Kevin Jon Williams, and Michael J. Hope

Serial No.: Express Mail Label
No.: US 717 748 851 US

Filed: August 7, 2001 Date of Deposit: August 7, 2001

For: LIPOSOMAL COMPOSITIONS, AND METHODS OF USING
LIPOSOMAL COMPOSITIONS TO TREAT DISLIPIDEMIAS

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

**EXPRESS MAIL TRANSMITTAL LETTER
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING**

Sir:

Pursuant to 35 U.S.C. § 21(a) as amended by Public Law 97-247 and 37 C.F.R. § 1.10, applicants enclose for filing the attached patent application entitled "*Liposomal Compositions, and Methods of Using Liposomal Compositions to Treat Dislipidemias*", which is a continuation-in-part of allowed application U.S.S.N. 09/322,336 filed May 28, 1999, which is continuation of U.S.S.N. 09/175,553 filed October 20, 1998, now U.S. Patent No. 6,139,871, which is a continuation of U.S.S.N. 08/507,170 filed July 26, 1995, now abandoned, which is a continuation of U.S.S.N. 08/206,415 filed March 4, 1994, now abandoned; and which is a continuation-in-part of U.S.S.N. 09/071,974 filed May 4, 1998, which is a divisional of U.S.S.N. 08/728,766 filed October 11, 1996, now U.S. Patent No. 5,746,223, which claims priority to U.S.S.N. 60/005,090 filed October 11, 1995. The application includes 1 page of abstract, 136 pages of specification, 3 pages of claims, 40 sheets of formal drawings, and an

Title: "Liposomal Compositions, and Methods of Using
Liposomal Compositions to Treat Dyslipidemias"
Filed: August 7, 2001
Express Mail Transmittal Letter for
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Date of Deposit: August 7, 2001

unexecuted Declaration for Patent Application. An executed Declaration for Patent Application, Assignment of rights in the application, Power of Attorney or Authorization of Agent, and Statement Under 37 C.F.R. § 3.73(b) will be submitted shortly.

The Commissioner is authorized to charge Deposit Account No. 50-1868 in the amount of \$355.00 to cover the filing fee for a small entity. It is believed that this is the proper filing fee for a small entity as the application contains 1 independent claim, and a total of 20 claims.

This application is entitled to claim small entity status under 37 C.F.R. § 1.27.

This application is being filed on August 7, 2001, by mailing the application to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express Mail label number appears in the heading of this paper that is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment in connection with this application, to Deposit Order Account No. 50-1868. To facilitate this process, applicants have enclosed a duplicate of this letter.

Title: "Liposomal Compositions, and Methods of Using
Liposomal Compositions to Treat Dyslipidemias"
Filed: August 7, 2001
Express Mail Transmittal Letter for
Patent Application and Certificate of Mailing
Express Mail Label No.: EL 717 748 851 US
Date of Deposit: August 7, 2001

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.
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(404) 817-8473
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Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

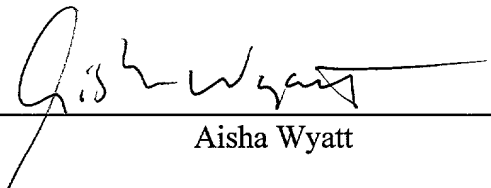
Date: August 7, 2001

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Patent Application and Certificate of Mailing
Express Mail Label No.: EL 717 748 851 US
Date of Deposit: August 7, 2001

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, August 7, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Express Mail Label No. US 717 748 851 US, addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.


Aisha Wyatt

Date: August 7, 2001

ATL1 #476720 v1